

JUDGE SULLIVAN

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -X

UNITED STATES OF AMERICA :

- v. - : SEALED INDICTMENT

RAFAEL MERCEDES VALDEZ, : 08 Cr.

JOAQUIN SANCHEZ-HERNANDEZ,

a/k/a "Jairo," :

TOMAS VALDEZ SR., :

VIOLETA HERNANDEZ PAYANO, :

ROY VALDEZ-MARTINEZ, :

MARIA MAGDALENA TAVERAS JIMENEZ, :

a/k/a "Johanna," :

CESAR E. PERALTA, :

JOSE LEONEL TAMAYO-CASTRO, :

a/k/a "Manolo," :

DAMARIS HERNANDEZ-PAYANO, :

EVANGELISTA VALDEZ, :

ANGELA MERCEDES VALDEZ, :

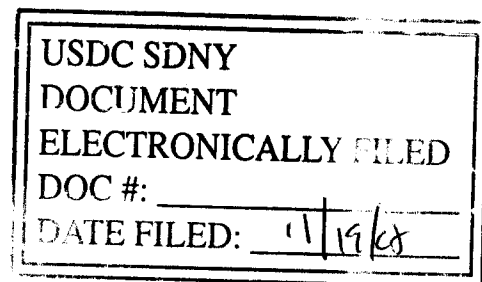
a/k/a "Odelis," :

ANDRES R. VALDEZ-SOTO, and :

JOHNNY SANTANA, :

Defendants. :

- - - - -X

COUNT ONE

The Grand Jury charges:

1. From at least January 2007 through and including November 2008, in the Southern District of New York and elsewhere, RAFAEL MERCEDES VALDEZ, JOAQUIN SANCHEZ HERNANDEZ, a/k/a "Jairo," TOMAS VALDEZ SR., VIOLETA HERNANDEZ PAYANO, ROY VALDEZ-MARTINEZ, MARIA MAGDALENA TAVERAS JIMENEZ, a/k/a "Johanna," CESAR E. PERALTA, JOSE LEONEL TAMAYO-CASTRO, a/k/a "Manolo," DAMARIS HERNANDEZ-PAYANO, , EVANGELISTA VALDEZ, ANGELA MERCEDES VALDEZ, a/k/a "Odelis," ANDRES R. VALDEZ-SOTO, and JOHNNY SANTANA, the defendants, and others known and unknown,

unlawfully, willfully, and knowingly did combine, conspire, confederate, and agree together and with each other to violate Section 1956(a)(1)(B)(I) of Title 18, United States Code.

2. It was a part and an object of the conspiracy that RAFAEL MERCEDES VALDEZ, JOAQUIN SANCHEZ HERNANDEZ, a/k/a "Jairo," TOMAS VALDEZ SR., VIOLETA HERNANDEZ PAYANO, ROY VALDEZ-MARTINEZ, MARIA MAGDALENA TAVERAS JIMENEZ, a/k/a "Johanna," CESAR E. PERALTA, JOSE LEONEL TAMAYO-CASTRO, a/k/a "Manolo," DAMARIS HERNANDEZ-PAYANO, EVANGELISTA VALDEZ, ANGELA MERCEDES VALDEZ, a/k/a "Odelis," ANDRES R. VALDEZ-SOTO, and JOHNNY SANTANA, the defendants, and others known and unknown, in an offense involving and affecting interstate and foreign commerce, knowing that the property involved in certain financial transactions, to wit, cash transferred in numerous transactions between January 2007 and November 2008, represented the proceeds of some form of unlawful activity, unlawfully, willfully, and knowingly would and did conduct and attempt to conduct such financial transactions which in fact involved the proceeds of specified unlawful activity, to wit, the proceeds of illegal narcotics transactions, knowing that the transactions were designed in whole and in part to conceal and disguise the nature, the location, the source, the ownership and the control of the proceeds of specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(I).

Overt Acts

3. In furtherance of the conspiracy, and to effect the illegal objects thereof, the following overt acts, among others, was committed in the Southern District of New York and elsewhere:

a. On or about October 11, 2007, RAFAEL MERCEDES VALDEZ and MARIA MAGDALENA TAVERAS-JIMENEZ, the defendants, engaged in a telephone conversation during which TAVERAS-JIMENEZ agreed to work for RAFAEL MERCEDES VALDEZ at the Valher Casa de Cambio laundering narcotics proceeds.

b. On or about October 17, 2007, RAFAEL MERCEDES VALDEZ participated in a telephone conversation with JOAQUIN SANCHEZ-HERNANDEZ, a/k/a "Jairo," the defendant, during which the two men discussed the collection of narcotics proceeds from a third individual, not named as a co-conspirator herein ("CC-1"). During this conversation, RAFAEL MERCEDES VALDEZ informed JOAQUIN SANCHEZ-HERNANDEZ that he had told CC-1 that lies or tricks in their business were paid with blood.

c. On or about October 22, 2007, JOSE LEONEL TAMAYO-CASTRO, a/k/a "Manolo," the defendant, participated in a telephone call with RAFAEL MERCEDES VALDEZ during which TAMAYO-CASTRO discussed his need to secure a quantity of narcotics proceeds from individuals connected to narcotics traffickers in the United States.

d. On or about March 27, 2008, CESAR PERALTA, the defendant, engaged in a telephone conversation with a co-

conspirator, not named as a defendant herein ("CC-2"), during which PERALTA and CC-2 discussed the need to bring firearms to an impending drug transaction in the Dominican Republic.

e. On or about March 29, 2008, VIOLETA HERNANDEZ PAYANO, the defendant, and MARIA MAGDALENA TAVERAS JIMENEZ, received \$500,000 in narcotics proceeds from a co-conspirator, not named as a defendant herein ("CC-3").

f. On or about May 29, 2008, TOMAS VALDEZ, SR., the defendant, participated in a telephone call with a co-conspirator, not named as a defendant herein ("CC-4"), situated in Bronx County, New York, during which TOMAS VALDEZ, SR. and CC-4 discussed CC-4's attempts to deposit narcotics proceeds in various bank accounts without displaying identification.

g. On or about May 29, 2008, ANDRES R. VALDEZ-SOTO, the defendant, participated in a telephone conversation with CC-4, who was situated in Bronx County, New York, during which ANDRES R. VALDEZ-SOTO instructed CC-4 that he was arranging for two separate batches of narcotics proceeds to be delivered to CC-4 in New York, one of \$9,000 and another for \$20,000, to be deposited into banks in New York. During this conversation, CC-4 stated his refusal to do a deposit for \$20,000 at that time.

h. On or about June 18, 2008, TOMAS VALDEZ, SR., DAMARIS HERNANDEZ-PAYANO, and ROY VALDEZ, the defendants, attempted to transport \$491,000 in narcotics proceeds, taped to their bodies, from Santo Domingo, Dominican Republic, to New York

City before being apprehended by law enforcement in the Santo Domingo International Airport.

i. On or about October 2, 2008, in Bronx County, New York, ANGELA MERCEDES VALDEZ, a/k/a "Odelis," and JOHNNY SANTANA, the defendants, participated in a telephone conversation with EVANGELISTA VALDEZ, the defendant, during which they discussed securing a cache of narcotics proceeds that were stored at the home of ANGELA MERCEDES VALDEZ.

j. On or about October 14, 2008, RAFAEL MERCEDES VALDEZ participated in a telephone conversation with EVANGELISTA VALDEZ, who was situated in Bronx County, New York, during which RAFAEL MERCEDES VALDEZ and EVANGELISTA VALDEZ discussed the loss of a quantity of narcotics proceeds that they intended to launder.

(Title 18, United States Code, Section 1956(h).)

FORFEITURE ALLEGATION

4. As a result of committing the money-laundering offense alleged in Count One of this Indictment, RAFAEL MERCEDES VALDEZ, JOAQUIN SANCHEZ HERNANDEZ, a/k/a "Jairo," TOMAS VALDEZ SR., VIOLETA HERNANDEZ PAYANO, ROY VALDEZ-MARTINEZ, MARIA MAGDALENA TAVERAS JIMENEZ, a/k/a "Johanna," CESAR E. PERALTA, JOSE LEONEL TAMAYO-CASTRO, a/k/a "Manolo," DAMARIS HERNANDEZ-PAYANO, EVANGELISTA VALDEZ, ANGELA MERCEDES VALDEZ, a/k/a "Odelis," ANDRES R. VALDEZ-SOTO, and JOHNNY SANTANA, the defendants, shall forfeit to the United States, pursuant to 18

U.S.C. § 981(a)(1)(A), any and all property constituting or derived from any proceeds the said defendant obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One of this Indictment.

Substitute Assets Provision

5. If any of the above-described forfeitable property, as a result of any act or omission of TOMAS VALDEZ JR., the defendant:

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third person;


(c) has been placed beyond the jurisdiction of the Court;

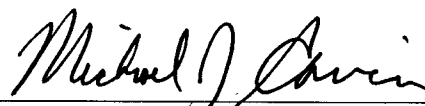
(d) has been substantially diminished in value;
or

(e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 18 U.S.C. § 981, to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981).


FOREPERSON


MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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SR., VIOLETA HERNANDEZ PAYANO, ROY
VALDEZ-MARTINEZ, MARIA MAGDALENA TAVERAS
JIMENEZ, a/k/a "Johanna," CESAR E.
PERALTA, JOSE LEONEL TAMAYO-CASTRO, a/k/a
"Manolo," DAMARIS HERNANDEZ-PAYANO,
EVANGELISTA VALDEZ, ANGELA MERCEDES
VALDEZ, a/k/a "Odelis," ANDRES R. VALDEZ-
SOTO, and JOHNNY SANTANA,

Defendants.

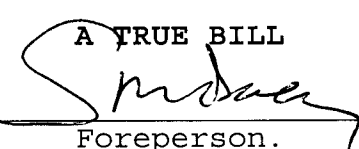
INDICTMENT

08 Cr.

(18 U.S.C. § 1956(h))

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL


Foreperson.
